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Pro Bono Counsel Referred
via the Legal Aid Center of Southern Nevada
for Plaintiff HYRUM JOSEPH WEST

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

HYRUM JOSEPH WEST,)
Plaintiff,) 2:13-cv-00271-APG-VCF
v.)
UNOPPOSED MOTION FOR
EXTENSION FO TIME TO FILE
REPLY TO MOTION TO
COMPEL DISCOVERY AND
FOR SANCTIONS THEREON
Defendants.) (First Request)

Plaintiff HYRUM JOSEPH WEST, by and through his pro bono counsel of record, Angela H. Dows, Esq., from Premier Legal Group, respectfully requests that this Court grant Plaintiff an extension of time of approximately one week or until on or before Monday, May 6, 2019 to file a reply to his motion to compel. (*See* ECF No. 102.) This Unopposed Motion is based upon the attached points and authorities and all pleadings and papers on file herein.

DATED this 26th day of April, 2019.

PREMIER LEGAL GROUP
By: /s/ Angela H. Dows
ANGELA H. DOWS, ESQ.
Pro Bono Counsel Referred
via the Legal Aid Center of Southern Nevada
for Plaintiff HYRUM JOSEPH WEST

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MEMORANDUM OF POINTS AND AUTHORITIES

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1. This is a civil rights case related to the conditions of confinement at the former jail facility in Pahrump, Nevada. The remanded case from the Ninth Circuit Court of Appeals is focused on two areas of inquiry:

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(1) the conditions existing in the old Pahrump jail during Mr. West's confinement there, and

(2) Nye County's policies or customs relating thereto.

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(See ECF No. 63.)

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2. Based upon the need to review and/or include two specific reports into the case in addition to a summary by the ACLU of Nevada into the case, Plaintiff filed a motion to extend discovery (*see* ECF No. 92.) Said motion was heard and granted on February 19, 2019. Part of the order was that Defendants were to produce/disclose by March 5, 2019 the items sought by Plaintiff as stated in the record, specifically:

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a. Copy of the 2003 National Institute of Corrections report, and any related materials;

b. Copy of the 2005 Kitchell report, and any related materials.

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(See ECF No. 98.)

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1 5. On April 19, 2019, Defendants filed their response to the motion to compel, as
2 well as a motion to file under seal certain information.

3 6. On April 26, 2019, the current due date for the reply brief and following a
4 request for said information, instant counsel was provided with a copy of the under seal
5 information, including electronic correspondences in support of Defendant's response.

6 7. Instant counsel thus requests approximately one week, or on or before May 6,
7 2019 to file the reply due to: (1) needing to review the information recently provided that was
8 filed under seal, (2) confer with her client thereto, and (3) formulate a reply based upon the
9 information.

10 8. That the instant Motion is not being prepared or filed under any bad faith, or
11 lack of due diligence.

12 9. That on or about April 25 and 26, 2019, instant counsel conferred with
13 Defendants' counsel, Jon B. Lee, Esq., regarding the proposed extension. Said counsel advised
14 that he did not oppose said request.

15 10. That Plaintiff does not have an objection to said extension, and said request
16 encapsulates Plaintiff wishes as to the anticipated timeline.

CONCLUSION

That, accordingly, instant counsel respectfully requests an additional approximately one week, or on or before Monday, May 6, 2019 by which to file a Reply to his Motion to Compel. (see Doc. No. 102.)

DATED this 26th day of April, 2019.

Respectfully submitted,

By ____/s/
ANGELA H. DOWS, ESQ.
PREMIER LEGAL GROUP
1333 North Buffalo Drive, Suite 210
Las Vegas, Nevada 89128
Attorney for Plaintiff Hyrum Joseph West

IT IS SO ORDERED.

UNITED STATES MAGISTRATE JUDGE
DATED: 5-1-2019

CERTIFICATE OF SERVICE

The undersigned hereby affirms that a copy of the foregoing:

**UNOPPOSED MOTION FOR EXTENSION FO TIME TO FILE REPLY TO
MOTION TO COMPEL DISCOVERY AND FOR SANCTIONS THEREON**

was served on the 26th of April, 2019, via electronic service through the United States District Court for the District of Nevada CM/ECF e-filing system upon each party in the case is registered as an electronic case filing user with the Clerk.

DATED this 26th day of April, 2019.

/s/
ANGELA H. DOWS, ESQ.